IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4243 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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HEMLATABEN PRAMODKUMAR BHAKTA

Versus

REGIONAL PASSPORT OFFICER

Appearance:

1. Special Civil Application No. 4243 of 2002

MR SUNIL C PATEL for Petitioner No. 1

MR DN PATEL for Respondent No. 1

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 19/04/2002

ORAL JUDGEMENT

#. Rule. Mr.Shah for Mr.Patel waives service of rule for the respondent. With the consent of the parties, the matter is taken up for final hearing today.

#. The grievance of the petitioner is that, even though the petitioner has approached the passport authority to change the birth date in his passport from 8.1.1962 to 9.8.1961, the authority has not yet taken any decision. In the facts and circumstances of the case, the petitioner is directed to make a representation to the passport authority on or before 30.4.2002. If such representation is made, passport authority may decide the same in accordance with law after considering the evidence on record of the case. If the authority is satisfied that birth date is required to be corrected, appropriate order may be passed in this connection in accordance with law. Since the petitioner has not taken care earlier by producing cogent material, the petitioner is directed to pay costs of Rs.2000/- (Rupees two thousand only). The said amount of costs is to be deposited with the passport authority at the time of making the representation.

#. In view of what is stated above, this petition is allowed. Rule is made absolute to the aforesaid extent with costs as quantified above. D.S.Permitted.

(P.B.Majmudar,J)
(pathan)